

1. The meeting was called to order at 6:30 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Roger Ashmore, Trevor Black, Judith Davis, Kevin Sair, and Mayor Moser were present. Legal Counsel was excused. Code Enforcement Officer, April Ruesch, was present. Fire Chief, Louie Ford was present. Town Clerk, Nathan Bronemann, took minutes.
4. Declarations of conflict of interests.

None stated.

5. Public Comment

Bonnie Maddocks congratulated Judith Davis on her new position.

Motion made by Roger Ashmore to close public comment. Kevin Sair seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

6. Administration of Oath of Office to newly elected official

Mayor Moser read the oath of office and swore in Judith Davis as a new member of the Town Council whose term will expire December 31, 2017.

7. Discussion and possible action on adopting State motor vehicle code

Mayor Moser said that legal had recommended that the Town adopt the State's motor vehicle code rather than creating its own specific codes. He said that by so doing, the County would be able to enforce motor vehicle codes.

Judith Davis said she was also in agreement to adopt all of the other codes the lawyer suggested.

Mayor Moser asked Nathan Bronemann to get with the attorney to have a resolution drafted for next meeting.

8. Discussion and action on Resolution 2014-01 appointing Planning Commission members

Mayor Moser read the resolution appointing Jack Davis, Cynthia Browning, Zeniff Hathaway, Mike Maddocks, and Dennis Smith to serve on the Planning Commission.

Motion made by Kevin Sair to adopt Resolution 2014-01 appointing Planning Commission members. Trevor Black seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

9. Discussion and action on Resolution 2014-02 appointing Big Plains Water and Sewer Special Service District board members

Mayor Moser read the resolution appointing Harold Merritt, Jack Davis, and Neil Duncan to serve again on the board of the Big Plains Water and Sewer Special Service District.

Motion made by Trevor Black to adopt Resolution 2014-02 appointing Big Plains Water and Sewer Special Service District board members. Judith Davis seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

10. Discussion and action on modifying the Town Fee Schedule

Mayor Moser read the resolution which explained that the county was raising their rates for solid waste collection by \$0.40 per month per household and that Town expenses, including postage, materials and collections had also increased. Due to these expenses, the resolution stated that the rate would be increased by \$0.50.

Motion made by Trevor Black to adopt Resolution 2014-03 amending the fee schedule by increasing the monthly solid waste collection fee from \$11.75 to \$12.25. Kevin Sair seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

Mayor Moser read the resolution and explained that since the Town had now created a board of appeals to hear requests for variances and appeals, they needed to establish fees to cover the costs of their noticing and hearing. He said that to cover the cost of noticing in the news paper as well as legal costs, it was suggested to set the fees at \$550 per each, which was the same rate as Toquerville. He explained that the board of appeals would only have three members and would only meet once per year to elect a chairman and thereafter only to hear appeals and requests for variance.

Motion made by Roger Ashmore to adopt Resolution 2014-04 amending the fee schedule by adding fees for variances and appeals. Trevor Black seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

11. Discussion and possible action on Town Facility Usage Applications – DUP

Roger Ashmore asked Marie McGowan, representing the Daughters of Utah Pioneers, if they were requesting the \$50 fee be waived and how many members they had.

Marie McGowan said that as a non-profit, she was requesting that the fee be waived. She said that she had two applications currently turned in to the Council and planned to meet about 6 months of the year. She said there were around twelve members on the DUP.

Judith Davis asked what the membership dues were.

Marie McGowan said that they paid \$20 per year.

Kevin Sair expressed concern with opening a window to all non-profits.

Mayor Moser referenced specific clauses of the application that covered the Town legally. He said the Town could charge a security deposit of \$100 if they so chose.

Judith Davis asked if they could waive the fee and still charge a security deposit.

Roger Ashmore said that if all members attended, it would only cost them about \$2.14/each to pay the meeting room fee.

Trevor Black said that if there was a fee charged to use the building, the Boy Scouts would not ever be able to afford to use the building.

Motion made by Kevin Sair to approve the meeting room usage and to waive the required fees as they are a non-profit organization. Roger Ashmore seconded the motion. Vote: Roger Ashmore-

yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

12. Discussion and possible action on cell phone contract

Mayor Moser explained that the vast majority (about 90%.) of his cellphone call usage was pertaining to Town business. He suggested that since the Town was now eligible for State contract discounted rates through Verizon Wireless, that the Town pay to provide cellular service for his phone.

Motion made by Kevin Sair to approve the Mayor's cellular phone expense. Trevor Black seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

13. Discussion and possible action on discontinuing the community burn pile

Mayor Moser said that the fire chief had recommended discontinuing the burn pile due to what was being dumped into it as well as other health and safety issues. Mayor Moser recommended finding another place in town to locate it where it would be safe. He also said they were facing some issues with the EPA wanting to shut down all burning in the State. He said that if they decided to get rid of the burn pile, he would recommend having the attorney draft something to deal with enforcement of dumping.

Motion made by Mayor Moser to close the community burn pile and to contact the attorney to draft an ordinance on the matter. Trevor Black seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

14. Report and recommendation from the Planning Commission

Nothing to report.

15. Report and recommendation from the Big Plains Water and Sewer SSD

Nothing to report.

16. Report and recommendation from the Parks & Recreation Dept./Community Events Committee

Nothing to report.

17. Report from the Fire Department

Louie Ford said that enforcing no burn seasons had always been a problem. He expressed concern with children on ATVs.

18. Report and recommendation from the Code Enforcement Officer

See attached.

19. Report and recommendation from Emergency Management

See attached.

20. Roads Report and consideration of continuing improvements

Trevor Black said they had been out on the grader working on the roads. He encouraged everyone to drive slowly.

21. Consent Calendar - Income and Expenses - Town Treasurer

Motion made by Trevor Black to approve the consent calendar. Roger Ashmore seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

22. Consider approval of minutes:

a. December 19, 2013 Regular Meeting Minutes

Motion made by Kevin Sair to approve the December 19, 2013 regular meeting minutes.

Roger Ashmore seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

23. Announcements

Marie McGowan said the Parks and Recreation needed another member.

Mayor Moser said all members would be getting reappointed during next Town Council meeting. He wished everyone a happy new year and thanked Dale Kingsley for his service. He said he wanted to schedule a work meeting to schedule regular staff meetings.

24. Request for a closed session

None requested.

25. Adjournment

Motion made by Kevin Sair to adjourn the meeting. Roger Ashmore seconded the motion Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

Meeting adjourned at 7:42 PM.

Date approved: _____

ATTEST BY: _____

Nathan Bronemann

Richard Moser

January 2, 2014 CODE ENFORCER'S REPORT TO TOWN COUNCIL

Since December 19th, 2013:

It's time again to license dogs. The Town of Apple Valley requires all dog owner have their dogs vaccinated for rabies and licensed at the town office.

Desert Vet will be doing a vaccination clinic here at the town office on January 11th from 1pm-2pm.

Thank you.

April Ruesch

EMERGENCY MANAGEMENT REPORT January 2, 2014

Frank Lindhardt is looking for CERT trained residents to be block captains. He will soon be holding CERT trainings. I highly recommend all residents be trained to help themselves, their families and their neighbors.

LEPC & Citizen's Corps Council will be held on January 16th, this month, due to some schedule changes.

A local licensed HAM radio operator would like to put an antenna up here at the town office in order to communicate in an emergency. I think this is an excellent idea and wonder if the town would be willing to participate. For a pole, antenna and co-ax it would be around \$100. A cheap radio would be another \$100. There is a repeater in Toquerville.

(IMPORTANT Reminder all town officials, workers and firemen are required to take NIMS courses, 100 & 700. It is also recommended that town officials take ICS-G402. We need your cooperation. The more people trained, the better prepared we will be. Outside help will not always be available and able to get to us. (If you need assistance let me know.)

Thank you.

April Ruesch